

EIGHTH DAY—MONDAY, JANUARY 25, 1971

The House met at 11:00 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

Mr. Speaker	Davis, D.	Jones, E.	Presnal
Adams	Davis, H.	Jones, G.	Price
Agnich	Denton	Jungmichel	Reed
Allen, Joe	Doran	Kaster	Rosson
Allen, John	Doyle	Kilpatrick	Salem
Allred	Dramberger	Kost	Salter
Angly	Earthman	Kubiak	Sanchez
Atwell	Farenthold	Lee	Santiesteban
Atwood	Finck	Lemmon	Schulle
Baker	Finnell	Lewis	Semos
Bass, B.	Finney	Ligarde	Shannon
Bass, T.	Floyd	Lombardino	Sherman
Beckham	Foreman	Longoria	Short
Bigham	Gammage	Lovell	Silber
Blanton	Garcia	McAlister	Simmons
Blythe	Golman	McKissack	Slack
Bowers	Grant	Moncrief	Slider
Boyle	Graves	Moore, A.	Smith
Braecklein	Hale	Moore, G.	Solomon
Braun	Hanna, Joe	Moore, T.	Spurlock
Burgess	Harris	Moreno	Stewart
Bynum	Hawkins	Murray	Stroud
Caldwell	Hawn	Nabers	Swanson
Calhoun	Haynes	Nelms	Tarbox
Carrillo	Head	Neugent, D.	Truan
Cates	Heatly	Newton	Tupper
Cavness	Hendricks	Nichols	Uher
Christian	Hilliard	Niland	Vale
Clark	Holmes, T.	Nugent, J.	Ward
Clayton	Holmes, Z.	Ogg	Wieting
Coats	Howard	Orr	Williams
Cobb	Hubenak	Parker, W.	Williamson
Cole	Hull	Patterson	Wolff
Craddick	Ingram	Pickens	Wyatt
Cruz	Johnson	Poerner	
Daniel	Jones, D.	Poff	

Absent

Traeger

Absent-Excused

Hannah, John	Mengden	Rodriguez	Wayne
Harding	Parker, C.	Von Dohlen	

A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence for today on account of important business:

Mr. Rodriguez on motion of Mr. Ligarde.

Mr. Wayne on motion of Mr. Uher.

Mr. Carl Parker on motion of Mr. Doyle.

Mr. Von Dohlen on motion of Mr. Newton.

Mr. Harding on motion of Mr. Doran.

Mr. John Hannah on motion of Mr. Bill Bass.

The following Member was granted leave of absence for today on account of a death in the family:

Mr. Mengden on motion of Mr. Earthman.

MESSAGE FROM THE SENATE

Austin, Texas, January 25, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

SB 1, By Moore: To exempt from Limited Sales, Excise & Use Tax receipts from leasing or licensing of motion picture films of any kind to or by licensed television stations; and declaring an emergency.

SCR 4, By Schwartz: Proposing adoption of Joint Rules of Procedure for the Senate and House of Representatives of the 62nd Legislature.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

COMMITTEE ON APPROPRIATIONS
GRANTED PERMISSION TO MEET

Mr. Heatly moved that the Committee on Appropriations be granted permission to meet while the House is in session and that the Journal Clerk shall record the Members of that Committee as present in accordance with the roll calls recorded by the committee clerk at the committee meetings.

The motion prevailed without objection.

RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled resolutions:

HCR 9, In memory of J. Harlan Ray.

HCR 10, In memory of R. B. "Dick" Moncrief.

MEMORIAL RESOLUTIONS ADOPTED

The following Memorial Resolutions were adopted unanimously by a rising vote:

HSR 43, by Cole and Doran: In memory of Timothy B. Cobb.

HSR 44, by Caldwell: In memory of John Creel Brockman.

HSR 45, by Farenthold: In memory of Thomas B. Whelan.

Representative Traeger entered the House and was announced present.

CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

HCR 15, by John Allen: Congratulating LeTourneau College on its 25th anniversary.

HSR 40, by Patterson and Presnal: Commending the Texas A&M University Aggies on their donation to Wichita State Athletic Fund.

HSR 46, by Allred: Extending congratulations to Glen and Carol Irene Castleberry on their marriage.

HSR 46 was read in full and on motion of Mr. Doran the names of all the Members of the House were added to the resolution as signers thereof.

HSR 34—REFERRED TO COMMITTEE

(Providing for plates for Member's desks showing each Member who occupied desk).

Mr. McAllister offered the following resolution:

HSR 34

Whereas, Since the 21st Legislature first occupied the newly-constructed Capitol in 1889, many outstanding Legislators have sat in this House Chamber; and

Whereas, Among these Representatives are included such notable statesmen as Pat Neff, Coke R. Stevenson and Price Daniel, all of whom became Governors of the State of Texas, and the Honorable Sam Rayburn, who was the Speaker of the United States Congress for many years prior to his death; and

Whereas, The prominent Legislators who have occupied the desks in this Chamber have contributed immensely to the great heritage of public service and devotion to the democratic ideals long identified with Texas and Texans; and

Whereas, A visible symbol or daily reminder of the forthright leaders and eminent lawmakers who have occupied the desks in this Hall would serve as an inspiration to those who now have the same desks, would be informative to Capitol visitors, and would also be a means of preserving a part of the history of the Texas Legislature; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature of the State of Texas direct the House Administration Committee to determine by best available historical data the occupants of each desk since the Capitol was constructed and contract for a small plate to be attached to each desk in the House Chamber listing each Member who has sat there, by name, county of residence, and dates of service; however, Members who occupied more than one desk during their tenure of office shall have their names affixed only at those desks where they last sat; and, be it further

Resolved, That funds be allocated from the Contingent Expense Fund of the House of Representatives for the purchase and installation of these plates.

The resolution was referred to the Committee on House Administration.

HSR 38—REFERRED TO COMMITTEE

(Creating an interim committee to study the banking industry)

Mr. Edmund Jones and Mr. Blythe offered the following resolution:

HSR 38

Whereas, Some of the leaders of the government of the State of Texas are known to be associated with some of those who presently stand accused of fraud and deceitful practices involving misuse of their positions; and

Whereas, The disclosures concerning these prominent public figures have created an atmosphere of suspicion and distrust at a crucial time in legislative history which could be disastrous to Texas government; and

Whereas, The Members of the House of Representatives desire that the good names of all state government officials and all state governmental agencies be clearly removed from the cloud of suspicion and distrust; and

Whereas, The Members of the House of Representatives desire that there be a thorough and rational study and investigation to probe all channels of possible breaches of public trust in hopes of ending such breaches and betrayals; now, therefore, be it

Resolved, by the House of Representatives, That the Honorable Speaker of the House is hereby authorized and directed to appoint immediately a nine-man Interim Study Committee to study and investigate (1) the banking industry, in general, (2) the granting of bank charters and (3) the fraudulent and deceitful use and operation of banks. The Honorable Speaker

of the House is further authorized and directed to appoint immediately the following six House Members to the Interim Study Committee:

Representative Edmund E. "Sonny" Jones, Representative W. J. "Bill" Blythe, Representative Charles Patterson, Representative Frances Farenthold, Representative A. C. "Bud" Atwood, and Representative Tom Moore, Jr.

The Honorable Speaker of the House is further authorized and directed to appoint immediately three other House Members of his own choosing to the said Interim Study Committee. If a vacancy on the said committee should arise the Honorable Speaker shall appoint another House Member to fill this vacancy, subject to House approval.

Signed: Edmund Jones and Blythe.

The resolution was referred to the Committee on Resolutions and Interim Activities.

HSR 42—REFERRED TO COMMITTEE

(Requesting the State Board of Insurance to study premium discounts for policyholders with approved safety equipment on their motor vehicles)

Mr. Orr offered the following resolution:

HSR 42

Whereas, The increasing cost of automobile insurance is a topic of great concern and vital interest to the citizens of Texas; and

Whereas, The State Board of Insurance is directed by Articles 5.01 and 5.04 of the Texas Insurance Code to give due consideration to "all relevant factors" in setting just, reasonable and adequate rates; and

Whereas, Recent research by automobile manufacturers and private research organizations has led to the development and commercial production of new safety equipment for motor vehicles; and

Whereas, The use of these new safety devices may result in a significant reduction in the risk of major damage and personal injury liability claims; and

Whereas, Any material reduction of the insurer's risk resulting from the use of safety devices should also result in a corresponding reduction in the premium due upon the protected motor vehicle; now, therefore, be it

Resolved, by the House of Representatives of the 62nd Legislature, That by this Resolution the State Board of Insurance be requested to study and prescribe premium discounts or other forms of reductions in premium rates for policyholders who voluntarily install approved safety equipment on their motor vehicles.

The resolution was referred to the Committee on Insurance.

MASCOT RESOLUTION

The following Mascot resolution was referred to the Committee on House Administration:

HSR 39, by Tupper: Naming James J. Kaster VI, Deborah Elaine Kaster, Laura Lee Kaster, Marion Kathleen Kaster and John Paul Kaster Mascots of the House.

PROVIDING FOR ADJOURNMENT

Mr. Hale moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the House adjourn until 11:00 a.m. tomorrow.

The motion prevailed without objection.

HOUSE JOINT RESOLUTIONS
ON FIRST READING

The following House Joint Resolutions were today laid before the House, read first time and referred to the Committee on Constitutional Amendments:

By Atwell and Wolff:

HJR 10, A Joint Resolution proposing an Amendment to Article VIII of the Texas Constitution by adding a Section 2-a to authorize the Legislature to provide a system for exempting certain property from ad valorem taxation.

By C. Parker:

HJR 11, A Joint Resolution proposing an Amendment to Section 7-a, Article VIII, of the Constitution of the State of Texas, to authorize the Legislature to appropriate certain tax revenue to the cities for the acquisition, construction and maintenance of streets and roads.

By Farenthold:

HJR 12, A Joint Resolution proposing an Amendment to Article III, Section 51-a, of the Texas Constitution, authorizing the Legislature to enact legislation and appropriate funds for assistance grants, medical care, and rehabilitation services for needy individuals and families.

(Mr. Jungmichel in the Chair)

By Uher, W. Parker, Swanson, Wayne, and Boyle:

HJR 13, A Joint Resolution proposing an Amendment to Article I, Section 11, of the Texas Constitution, to provide that certain persons in custody for the commission of an offense may be denied bail.

By Truan, Reed, Graves, Denton, Haynes, Nichols, Z. Holmes, Moreno, T. Moore, Harris, Vale, Cruz, Kaster, Bigham, Lombardino, Williams, C. Parker, Hale, Lemmon, Nelms, Gammage, B. Bass, Braun, Salem, Daniel, Ligarde, T. Bass, Johnson, Santiesteban, and Rodriguez:

HJR 14, A Joint Resolution proposing an Amendment to the Constitution of the State of Texas, amending Section 51-a of Article III; providing that the Legislature shall enact appropriate legislation which will enable the State of Texas to cooperate with the government of the United States in providing assistance grants out of state funds to and/or medical care on behalf of needy aged persons, needy persons who are totally and permanently disabled, needy blind persons, and needy dependent children and the caretakers of such children; providing rehabilitation and any other services included in the federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care; authorizing the Legislature to prescribe eligibility requirements; providing for the acceptance and expenditure of funds from the government of the United States for such purposes; authorizing appropriations for such purposes out of state funds; providing that the maximum amount paid out of state funds to any individual recipient shall not exceed the amount that is matchable out of federal funds; providing that the total amount of such payments for assistance and/or medical care out of state funds on behalf of such needy individuals shall not exceed the amount that is matchable out of federal funds; provided that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate federal statutes as they now are or as they may be amended to the extent that federal matching money is not available to the state for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such federal matching money will be available for assistance and/or medical care for or on behalf of needy persons.

By Atwell:

HJR 15, A Joint Resolution proposing a Constitutional Amendment providing for the issuance of state general obligation bonds in a total amount not to exceed \$450 million for the benefit of the available school fund, the bonds to be retired with income derived from bonuses, delay rentals, and 72½ percent of the royalties received under mineral leases of lands belonging to the permanent school fund.

HOUSE BILLS ON FIRST READING

The following House Bills were today laid before the House, read first time and referred to Committees, as follows:

By Swanson:

HB 51, A bill to be entitled An Act relating to notice of a creditor's intention to foreclose a lien on real property used as the owner's residence and expiration of a 60-day period for compliance as conditions precedent to foreclosure; stipulating the requirements and effective date of the notice; specifying the compliance necessary to avoid foreclosure and acceleration; limiting the contracts to which the provisions of the Act shall apply; and declaring an emergency.

Referred to Committee on Judiciary.

By Swanson:

HB 52, A bill to be entitled An Act increasing the penalty for dumping, depositing, or leaving refuse, garbage, rubbish, or junk on or near a public highway; amending Section 3, Chapter 53, Acts of the 40th Legislature, 1st Called Session, 1927, as amended (Article 696a, Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on State Affairs.

By Baker and Doran:

HB 53, A bill to be entitled An Act relating to and fixing minimum and maximum salary of the official shorthand reporter of the 112th Judicial District of Texas; providing a saving clause; and declaring an emergency.

Referred to Committee on Counties.

By Calhoun, Poff, Swanson, G. Jones, Finck, Price, Baker, Stewart, Cobb, Simmons, and Craddick:

HB 54, A bill to be entitled An Act concerning the conservation of oil and gas and the protection of correlative rights; stating the powers and authority of the Railroad Commission of Texas relating to fieldwide unitization; providing for an application and its contents; the matters to be found by the Commission and the nature of its orders; approval of a plan of unitization by Working Interest Owners and Royalty Owners; procedure and notice; appeals; matters included in unit operations; the effect of unit operations on existing property rights; enlargement of unit area and the creation of new units; the amendment of Commission Orders and the continuing power of the Commission to review and order unit operation covering a unit area previously established; a provision that the agreements are not in restraint of trade; that this Act shall be supplemental to Vernon's Annotated Civil Statutes, Article 6008; providing for severability; and declaring an emergency.

Referred to Committee on Oil, Gas and Mining.

By Graves, Braun, Nichols, Harris, and Kaster:

HB 55, A bill to be entitled An Act amending Section 3, Chapter 23, Acts of the 58th Legislature, 1963 (Article 135b-5, Vernon's Texas Civil Statutes), by adding a new Subsection C prohibiting the sale, offer or exposure for sale, use, or possession with intent to sell any pesticide containing dichloro-diphenyl-trichloroethane; providing an exception; and declaring an emergency.

Referred to Committee on Agriculture.

By Braun, Denton, Gammage, Joe Allen, Graves, Harris, Vale, Nichols, Agnich, Cruz, Allred, Bigham, Farenthold, and Truan:

HB 56, A bill to be entitled An Act relating to suits for declaratory and equitable relief to protect air, water, and natural resources and the public trust therein from pollution, impairment, and destruction; and declaring an emergency.

Referred to Committee on State Affairs.

By Clark, Gammage, Farenthold, Nichols, Nelms, Reed, Cruz, Rodriguez, Truan, Swanson, Williams, Z. Holmes, and T. Bass:

HB 57, A bill to be entitled An Act relating to authorizing and regulating group marketing of motor vehicle insurance; amending Chapter 21, Texas Insurance Code, by adding Article 21.76; amending Section 20, Article 21.14, Texas Insurance Code; and declaring an emergency.

Referred to Committee on Insurance.

By Cavness, Wayne, and Tarbox:

HB 58, A bill to be entitled An Act relating to the issuance of permits for and the regulation of mass gatherings; providing a penalty for violations; and declaring an emergency.

Referred to Committee on Governmental Affairs and Efficiency.

By Cavness:

HB 59, A bill to be entitled An Act relating to the disposition of moneys received as royalties, bonuses, and rentals under a lease of lands which are part of the permanent school fund for exploration and development of mineral reserves; and declaring an emergency.

Referred to Committee on Appropriations.

By Dramberger and Lombardino:

HB 60, A bill to be entitled An Act amending Section 135, Subsections (a) and (b) of Section 140; Subsections (a), (b), (d), and (e), of Section 141; and Subsection (a) of Section 142, Chapter 421, Acts of the 50th Legislature, 1947, as amended (Article 6701d, Vernon's Texas Civil Statutes); providing for the inspection of tires annually on motor vehicles; prohibiting the use of regrooved tires on public highways; and declaring an emergency.

Referred to Committee on Motor Transportation.

By Dramberger and Lombardino:

HB 61, A bill to be entitled An Act relating to restrictions on loads of commercial motor vehicles transporting dirt, sand, gravel, or similar loose material; amending Chapter 42, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 827a, Vernon's Texas Penal Code); providing a penalty; and declaring an emergency.

Referred to Committee on Motor Transportation.

By Dramberger and Lombardino:

HB 62, A bill to be entitled An Act relating to providing permanent immunization record cards for all children at birth; and declaring an emergency.

Referred to Committee on Public Health.

By Cavness:

HB 63, A bill to be entitled An Act relating to the appointment and terms of office of members of the Texas State Board of Examiners of Psychologists; amending Sections 4 and 5, Chapter 713, Acts of the 61st Legislature, Regular Session, 1969 (Article 4512c, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Public Health.

By D. Jones:

HB 64, A bill to be entitled An Act relating to the requirements of time spent actively engaging as a Real Estate Salesman for the licensing of Real Estate Salesmen and Real Estate Brokers; amending Section 10, Chapter 1, page 560, General Laws, Acts of the 46th Legislature, Regular Session 1939, as reenacted and amended (Article 6573a, Vernon's Texas Civil Statutes); and providing an emergency.

Referred to Committee on Governmental Affairs and Efficiency.

By D. Jones:

HB 65, A bill to be entitled An Act relating to the application for and granting of a nonbonded agricultural user's permit to purchase liquefied gas tax-free; prescribing forfeiture of certain rights for making a taxable use or resale for taxable use of any liquefied gas purchased tax-free pursuant to certain provisions or for failing to keep certain records or to carry certain invoices providing for a special dealer's permit for period of forfeiture; providing that the tax liability of a person presumed to have used liquefied gas exclusively in certain equipment vehicles be calculated on a mileage basis unless proof of amount of motor fuel used is maintained as required; providing that a bond is not required of a holder of a nonbonded agricultural user's permit; defining certain terms; providing certain exemptions; amending Articles 10.52, 10.53, 10.54, 10.60, and 10.61, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925; repealing Section (8), Article 10.53; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

By D. Jones:

HB 66, A bill to be entitled An Act providing that the Red Cross, the Salvation Army, and licensed ambulance companies may be designated as official defense and disaster relief agents in times of emergency; amending Section 8, Chapter 311, Acts of the 52nd Legislature, 1951 (Article 6889-4, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Governmental Affairs and Efficiency.

By Braun:

HB 67, A bill to be entitled An Act providing that it is not a defense to a prosecution for air pollution that a variance or other order authoriz-

ing same has been issued by the Texas Air Control Board unless same is concurred in by local governing bodies; amending Section 2, Article 698d, Penal Code of Texas, 1925; and declaring an emergency.

Referred to Committee on State Affairs.

By D. Jones:

HB 68, A bill to be entitled An Act relating to the reinstatement of members of fire and police departments who have been granted military leaves of absence; amending Section 22a, Chapter 325, Acts of the 50th Legislature, 1947, as added (Article 1269m, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Urban Affairs.

By Braun:

HB 69, A bill to be entitled An Act providing that it is not a defense to a prosecution for water pollution that a permit or order authorizing the discharge has been issued by the Texas Water Quality Board, the Texas Water Development Board, or the Texas Railroad Commission unless same is concurred in by the local governing bodies; amending Section 2, Article 698c, Penal Code of Texas, 1925; and declaring an emergency.

Referred to Committee on State Affairs.

By D. Jones:

HB 70, A bill to be entitled An Act relating to the powers, privileges, and immunities of employees of the Parks and Wildlife Department commissioned as peace officers; amending Section 1, Chapter 677, Acts of the 61st Legislature, Regular Session, 1969 (Article 978f-5c, Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By D. Jones:

HB 71, A bill to be entitled An Act relating to the investigation of accidents on all roads owned and controlled by any water control and improvement district; amending Sections 21 and 43A, Chapter 421, Acts of the 50th Legislature, 1947, as amended (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Highways and Roads.

By D. Jones:

HB 72, A bill to be entitled An Act exempting from the sales tax receipts from certain sales projects by service organizations when the receipts are donated to a charitable organization; amending Article 20.04, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

By Cavness:

HB 73, A bill to be entitled An Act amending Chapter 421, Acts of the 50th Legislature, 1947, as amended (Article 6701d, Vernon's Texas Civil Statutes), by adding a new Section 101A making it unlawful to drive a vehicle over a sidewalk or through a driveway, parking lot, or business or residential entrance for the purpose of making either a right or a left turn from one street or highway to another street or highway; and declaring an emergency.

Referred to Committee on Highway and Roads.

By Cavness:

HB 74, A bill to be entitled An Act cancelling and releasing any future reversionary right and interest which the State of Texas may hold and conveying and granting to the Austin Independent School District all right, title, and interest of the State of Texas in and to property in the Original City of Austin; and declaring an emergency.

Referred to Committee on Judiciary.

By Cavness:

HB 75, A bill to be entitled An Act relating to the use of county employees and equipment to construct, maintain, or improve private roads in certain counties; and declaring an emergency.

Referred to Committee on Counties.

By Traeger:

HB 76, A bill to be entitled An Act to be known as the "Professional Services Procurement Act," relating to and establishing state policies and procedures for the procurement of professional services of architects, attorneys, physicians, surgeons and engineers, by agencies and departments of the State of Texas, political subdivisions, counties, municipalities, districts, public authorities or publicly-owned utilities; defining terms; declaring public policy; prohibiting contracting for such services by competitive bidding; providing for severability; providing a repealing clause; and declaring an emergency.

Referred to Committee on Governmental Affairs and Efficiency.

By Head:

HB 77, A bill to be entitled An Act relating to the jurisdiction of the County Court of Smith County and the County Court at Law of Smith County and the exchange of benches between the judges of those courts; amending Sections 2 and 3, Chapter 232, Acts of the 58th Legislature, 1963, as amended (Article 1970-348, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Counties.

By Cole:

HB 78, A bill to be entitled An Act making it illegal to willfully and maliciously change, alter, or delete any portion of certain public documents for use in a political campaign for public office; providing penalties; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Cole:

HB 79, A bill to be entitled An Act relating to tuition fees at state institutions of collegiate rank; amending Subsection (a), Section 1, Chapter 196, Acts of the 43rd Legislature, Regular Session, 1933, as amended (Article 2654c, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Appropriations.

By Cole:

HB 80, A bill to be entitled An Act relating to expunging from a person's criminal record a conviction for possession of cannabis in certain situations; amending Section 23, Chapter 169, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 725b, Vernon's Texas Penal Code); and declaring an emergency.

Referred to Committee on Youth.

By John Hannah and B. Bass:

HB 81, A bill to be entitled An Act imposing a tax on certain disposable containers, providing for administration and enforcement, use, and allocation of revenue; amending Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as amended, by adding a new Chapter 32; and declaring an emergency.

Referred to Committee on Revenue and Taxation.

By Joe Allen:

HB 82, A bill to be entitled An Act amending Chapter 435, Acts of the 52nd Legislature, 1951 (Article 1723, Vernon's Texas Penal Code), by adding a new Section 9A providing that any person selling any explosive, inflammable or combustible substance classified as a bomb in Chapter 435 shall require the purchaser to state in writing his name, age, and the purpose for which the purchased substance is intended; prohibiting the sale of any substance classified as a bomb in Chapter 435 to any person under the age of 21 years; requiring that the written statements be kept for a period of two years; providing a penalty for violation of the provisions of Section 9A; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Poerner:

HB 83, A bill to be entitled An Act relating to marks and brands of livestock in Dimmit County; and declaring an emergency.

Referred to Committee on Livestock.

By Jungmichel and Von Dohlen:

HB 84, A bill to be entitled An Act amending the following numbered sections and subsections of Chapter 470, Acts of the Regular Session of the 45th Legislature of Texas (establishing and regulating the Teacher Retirement System of Texas), as heretofore amended and recompiled by Chapter 41, Acts of the Regular Session of the 61st Legislature of Texas, viz: amending Section 1.02(a) of said Act; amending Sections 3.01(c), 3.01(d) and 3.01(e) of said Act; amending Section 3.08 of said Act; and amending Section 4.05(b) of said Act; and declaring an emergency.

Referred to Committee on Public Education.

By Hale:

HB 85, A bill to be entitled An Act defining certain words and terms as used herein; requiring that school districts of this State, as herein defined, employ teachers by probationary contract or by professional-status renewable-term contract as herein defined, under the circumstances and procedures and with the terms, provisions, and consequences herein prescribed; prescribing the causes for which and procedures by which holders of such contracts may be discharged during the contract year, and the reasons for which and procedures by which persons holding such contracts may be dismissed or their contractual status changed at the end of a contract year; providing for review of orders discharging, dismissing, or changing the contract status of persons holding such contracts; providing teachers discharged or dismissed shall upon written request be entitled to copies of certain reports concerning fitness or conduct of such teachers; stating the conditions under which persons holding such contracts may resign, and the penalties for failure of such persons to resign or be released from and failure to perform such contracts; making this Act cumulative of existing laws relating to rights and privileges granted under the provisions of this Act; providing a saving clause; and declaring an emergency.

Referred to Committee on Public Education.

By Longoria, Sanchez, Atwood, Rodriguez, Garcia, and Murray:

HB 86, A bill to be entitled An Act changing the name of Pan American College to Pan American University; and declaring an emergency.

Referred to Committee on Higher Education.

By Braun, Moreno, Reed, Nichols, Johnson, Farenthold, and T. Moore:

HB 87, A bill to be entitled An Act providing for the regulation of certain public utilities by the Public Utilities Commission of Texas; and declaring an emergency.

Referred to Committee on State Affairs.

By Braun, Moreno, Nichols, Reed, Johnson, Farenthold, and T. Moore:

HB 88, A bill to be entitled An Act relating to the creation, establishment, administration, powers, duties, and obligations of the Texas Office of the Utility Consumers' Counsel; and declaring an emergency.

Referred to Committee on State Affairs.

By Presnal:

HB 89, A bill to be entitled An Act relating to the liability for civil damages of a person legally qualified to practice medicine who administers emergency care under certain conditions in a hospital emergency room; amending Section 1, Chapter 317, Acts of the 57th Legislature, Regular Session, 1961 (Article 1a, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Public Health.

By Caldwell:

HB 90, A bill to be entitled An Act relating to the offense of assault with a prohibited weapon; amending Article 1151, Penal Code of Texas, 1925; providing penalties; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Caldwell:

HB 91, A bill to be entitled An Act relating to the penalty for a person driving while his operator's, commercial operator's or chauffeur's license or nonresident driving privilege is cancelled, suspended, or revoked; amending Section 34, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Caldwell:

HB 92, A bill to be entitled An Act relating to determining if a person arrested for a felony is under indictment for another felony offense and was out on bail at the time of the arrest for the subsequent offense; requiring notice of arrest for subsequent felony to be sent to certain persons; requiring, with certain exceptions, the trial of a person who has been released on bail and has been arrested for a subsequent felony to be tried on the previous offense within 60 days; adding Articles 15.181 and 33.081 to the Code of Criminal Procedure, 1965; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Caldwell:

HB 93, A bill to be entitled An Act relating to expanding the authority of

the department of public safety to suspend operator, commercial operator, and chauffeur licenses upon the failure of a license holder to submit to a reexamination upon direction; amending Subsection (b), Section 22, Chapter 173, Acts of the 47th Legislature, Regular Session, as amended (Article 6687b, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee and Highways and Roads.

By Caldwell:

HB 94, A bill to be entitled An Act prohibiting the sale of certain beverages in disposable glass containers; providing exceptions; setting a penalty; and declaring an emergency.

Referred to Committee on Liquor Regulation.

By Caldwell:

HB 95, A bill to be entitled An Act relating to adoption by State Board of Insurance of rules and regulations providing for an assigned risk plan for fire and casualty insurance; amending Chapter 21, Texas Insurance Code, by adding Article 21.75; and declaring an emergency.

Referred to Committee on Insurance.

By Caldwell:

HB 96, A bill to be entitled An Act relating to mandatory release of certain accused misdemeanants under the Uniform Act Regulating Traffic on Highways on the signing of a promise to appear in court; amending Section 147, Chapter 421, Acts of the 50th Legislature, 1947, and Subsection (a) Section 148, Chapter 421, Acts of the 50th Legislature, 1947, as amended (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Johnson:

HB 97, A bill to be entitled An Act relating to the planting and raising of pecan trees on highway rights-of-way; and declaring an emergency.

Referred to Committee on Highways and Roads.

By Hawn, Blanton, Semos, Boyle, Wayne, Swanson, Lombardino, and Atwell:

HB 98, A bill to be entitled An Act repealing Article 38.21, Code of Criminal Procedure, 1965; amending Article 38.22, Code of Criminal Procedure, 1965, as amended; providing rules governing admission in evidence at the trial of a criminal case of the oral statements and admissions of guilt made by the accused; and declaring an emergency.

Referred to Committee on Criminal Jurisprudence.

By Braecklein:

HB 99, A bill to be entitled An Act creating a Public Agency of the State

of Texas to be known as the State of Texas Municipal Bond Bank, and prescribing its purposes; defining terms; authorizing the bond bank to issue revenue bonds to provide money for its purposes, including primarily the purchase of marketable municipal bonds, directly from public agencies, bearing lower interest rates than are otherwise normally obtainable by public agencies; prescribing the governing board, organization, functions, operation, powers, and duties of the bond bank; providing for the payment and security of the bond bank's bonds; prescribing the characteristics of the bond bank's bonds and the municipal bonds to be purchased by the bond bank; providing for the manner, terms, and conditions of sale to the bond bank of municipal bonds by public agencies; providing for refunding the bond bank's bonds; creating a reserve fund for the bond bank's bonds, to be established with the State Treasurer, and to be funded and maintained with bond proceeds or other resources of the bond bank; prescribing procedures for restoration of depletions of the reserve fund by appropriations; authorizing the bond bank to pay part of the costs of certain water pollution control projects, and authorizing the bond bank and public agencies to enter into agreements with respect to certain water pollution control projects; enacting other provisions relating to the subject; providing penalties; providing for the cumulative effect of Act; providing a severability clause; and declaring an emergency.

Referred to Committee on State Affairs.

By Atwell:

HB 100, A bill to be entitled An Act relating to issuance of a license to hunt cougar or mountain lion; providing exceptions; providing penalties; amending Article 892, Penal Code of Texas, 1925, as amended, to include cougar or mountain lion in the definition of game animals; amending Section 1, Chapter 59, Acts of the 49th Legislature, 1945 (Article 190h, Vernon's Texas Civil Statutes), relating to predatory animals; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Atwell:

HB 101, A bill to be entitled An Act protecting puma in this state; providing a penalty for violation; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

(HB 102 through HB 212 were not read first time today.)

By Heatly:

HB 213, A bill to be entitled An Act making supplemental allocations and appropriations to the State Department of Public Welfare, and authorizing the transfer of funds; repealing the limitations contained in the appropriations to the Texas Department of Public Safety in House Bill No. 2, 61st Legislature, 2nd Called Session, 1969, of the amount of money in the Motor Vehicle Inspection Fund available for funding and financing the appropriations to the Texas Department of Public Safety and making other provisions relating thereto; reducing the appropriation from the State Highway Fund for financing the Texas Department of

Public Safety, and making other provisions relating thereto; reappropriating unexpended balances of appropriations, previously made, authorizing the transfer of funds and making other provisions relating thereto; requiring the Governor's approval of certain disbursements; providing a severability clause; and declaring an emergency.

Referred to Committee on Appropriations.

MESSAGE FROM THE SENATE

Austin, Texas, January 25, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

HCR 13, By Atwell: In memory of former Representative Jack Keller.

HCR 14, By Atwell, et al: In memory of James Eric (Bill) Decker.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

ADJOURNMENT

In accordance with a previous motion, the House, at 12:10 p.m., adjourned until 11:00 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORT

Favorable reports have been filed by the Committee on Engrossed and Enrolled Bills, as follows: Correctly engrossed—HCR 10, HCR 13, HCR 14. Correctly enrolled—HCR 9, HCR 10.

NINTH DAY—TUESDAY, JANUARY 26, 1971

The House met at 11:00 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present

Mr. Speaker	Baker	Braecklein	Christian
Adams	Bass, B.	Braun	Clark
Agnich	Bass, T.	Burgess	Clayton
Allen, Joe	Beckham	Bynum	Coats
Allen, John	Bigham	Caldwell	Cobb
Allred	Blanton	Calhoun	Cole
Angly	Blythe	Carrillo	Craddick
Atwell	Bowers	Cates	Cruz
Atwood	Boyle	Cavness	Daniel